

Senate Engrossed

FILED

KEN BENNETT

SECRETARY OF STATE

State of Arizona
Senate
Forty-ninth Legislature
First Regular Session
2009

CHAPTER 64

SENATE BILL 1259

AN ACT

AMENDING SECTION 27-1226, ARIZONA REVISED STATUTES; RELATING TO AGGREGATE
MINED LAND RECLAMATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 27-1226, Arizona Revised Statutes, is amended to
3 read:

4 27-1226. Initiation, extension and completion of reclamation

5 A. Beginning January 1, 2007, if a surface disturbance cannot be
6 practicably reclaimed concurrently with an exploration operation or at an
7 aggregate mining unit, reclamation shall be initiated:

8 1. Within one year after completing the exploration operation or
9 aggregate mining unit.

10 2. Within one year after cessation of aggregate mining activity.

11 3. As required by applicable federal law.

12 B. The state mine inspector shall extend the period in which to
13 initiate reclamation under subsection A, with up to three subsequent five
14 year extensions, if the owner or operator of an exploration operation or
15 aggregate mining unit demonstrates a reasonable likelihood that the project
16 or operation will resume, based on a consideration of factors, including:

17 1. The presence of additional aggregate being mined or other
18 commodities in commerce.

19 2. Historical fluctuations in the value of the commodity being mined
20 or other commodities present if they can be mined using the same
21 disturbances.

22 3. CHANGING MARKET CONDITIONS AND DEMAND FOR THE COMMODITY BEING
23 MINED.

24 ~~3.~~ 4. The design life of any process components existing at an
25 aggregate mining unit.

26 C. Once initiated, the final reclamation measures shall be performed
27 as stated in the approved reclamation plan unless the exploration operation
28 or aggregate mining unit is reactivated.

APPROVED BY THE GOVERNOR JULY 10, 2009.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 10, 2009.